

## SENATE BILL NO. 329

INTRODUCED BY G. ROUSH, E. CLARK, COCCHIARELLA, CRISMORE, DEPRATU, DOHERTY,  
EKEGREN, FRANKLIN, L. HOLDEN, JERGESON, JUNEAU, KITZENBERG, MCNUTT, NELSON, RYAN,  
SCHMIDT, SHEA, TESTER

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR PROVISIONAL PRACTICE PERMITS FOR  
REGISTERED PROFESSIONAL AND LICENSED PRACTICAL NURSES FROM CANADA AND TEMPORARY  
PRACTICE PERMITS FOR NURSES FROM ANOTHER STATE WHILE APPLICANTS SEEK LICENSURE TO  
PRACTICE PROFESSIONAL OR PRACTICAL NURSING IN THE STATE OF MONTANA; AND PROVIDING  
AN EFFECTIVE DATE AND A TERMINATION DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Provisional practice permit for Canadian nurses.** (1) The board may

grant a nonrenewable, provisional practice permit to an applicant for a license to engage in the practice  
of nursing under this part if the applicant:

(a) currently possesses an unencumbered license to practice professional nursing or to practice  
practical nursing from an equivalent licensing board or authority in Canada; and

(b) is authorized to sit for the licensing exam required for licensure in this state.

(2) The board may grant only one provisional practice permit to an applicant.

(3) A provisional practice permit issued under this section expires on the earliest of the following:

(a) 180 days after the date of issue;

(b) the date that the applicant is notified that the applicant failed a licensure examination, as  
approved by the board; or

(c) the date that the applicant is issued a license to practice nursing under this part.

(4) A registered professional nurse or licensed practical nurse who is employed under a provisional  
practice permit may function only under the supervision of a registered professional nurse, physician,  
dentist, osteopath, or podiatrist, who is on the premises where and when the permittee is working and  
who is specifically assigned the responsibility of supervising the performance of the provisional practice  
permittee. The permittee may not be supervised by a licensee who holds a temporary practice permit.

(5) A permittee may not perform duties for which certification for advanced practice registered nursing is required and may perform duties only specifically allowed under the practice of professional or practical nursing.

**NEW SECTION. Section 2. Temporary practice permit.** (1) The board shall issue a temporary practice permit to an individual licensed in another state that has licensing standards substantially equivalent to those of this state if the board determines that:

(a) the applicant has submitted a completed application as approved by the board;

(b) the initial screening by the board staff shows no current disciplinary action as identified by the board by rule; and

(c) there is no reason to deny a temporary practice permit under the laws of this state governing the practice of nursing.

(2) The individual may practice under a temporary practice permit until a license is granted, until a notice of proposal to deny a temporary practice permit is issued, or until the period of time adopted by the board by rule expires.

(3) A nurse who is employed under a temporary practice permit may function only under the supervision of a registered professional nurse, physician, dentist, osteopath, or podiatrist, who is on the premises where and when the permittee is working and who is specifically assigned the responsibility of supervising the performance of the temporary practice permittee.

**NEW SECTION. Section 3. Codification instruction.** [Sections 1 and 2] are intended to be codified as an integral part of Title 37, chapter 8, part 4, and the provisions of Title 37, chapter 8, part 4, apply to [sections 1 and 2].

**NEW SECTION. Section 4. Effective date.** [This act] is effective July 1, 2001.

**NEW SECTION. Section 5. Termination.** [Section 1] terminates June 30, 2007.

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